

May 8, 1975

CLERK: Mr. President, there is...there are E & R amendments which have been adopted. There are pending numerous amendments to the bill. The first one is by Senator Maresh and it has been adopted and another one by Maresh has been adopted, the Emergency Clause has been adopted. There is and the Warner amendment has been adopted. And another Warner amendment has been adopted and the....there are no further amendments, Mr. President.

SENATOR MARESH: Mr. President, I believe that all of the amendments were stricken when the Warner amendment was adopted except for the Emergency Clause and the Severability Clause, so I think that we're dealing with a new bill now, with the Warner amendment it is a new bill and my amendment that I'm proposing now, are the amendments to the Warner amendment.

PRESIDENT: I think that they have been adopted Senator.

SENATOR MARESH: This is a new amendment that is amending the Warner amendment.

PRESIDENT: Do you have something on the desk Mr. Clerk?

CLERK: No. We now have an amendment offered by Senator Maresh which is now on the desk.

PRESIDENT: It goes on for pages, as our Clerk says Senator Maresh, would you tell...

SENATOR MARESH: Very good, it is a very simple amendment, it isn't as lengthy as it appears. What this does is to set up a temporary program for three years which is called a trial period and during this period there will be an appointed board by the Governor instead of the elected board as the Warner amendment provided. This funded board will serve for three years and during this trial period we will have a chance to set up a list of voters for future elections. At the present time there is no way to determine who is qualified to vote, but by having this trial period the names will be placed on a computer and they will be very easy to conduct mail ballot elections in the future. So what I'm doing with this amendment, it is sort of a compromise between those that wanted appointed boards and those that like the committee adopted or the Warner amendment provided for elected boards. Also after the three year period, it will allow for a referendum to take place during which if 10% of the growers wish to discontinue the program or 10% of these people want to have an elected board instead of an appointed board, they shall file these with the Director of Agriculture who shall then send out ballots to all those that are qualified to vote. The ones...the way we determine who is qualified to vote is the ones that were subject to tax. Those are the ones who pay the tax or ask for a refund. So this will settle the problem of determining who is qualified to vote. Referendum will take place 60 days...in other words what I am saying is that those that will vote will have to return their ballots and the Director will determine what has taken place. If the program is discontinued then all check-offs that were made during the prior 60 days before the referendum those will be returned to the producers and